

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

TOMMY D. HALL
ADC #105963

PETITIONER

v.

NO. 5:13CV00339 JLH-JTR

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

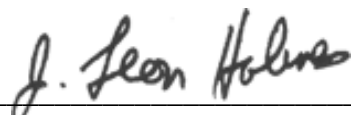
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED THAT:

1. Respondent's motion to dismiss is GRANTED (Document #6);
2. The petition for writ of habeas corpus under 28 U.S.C. § 2254 is dismissed, without prejudice, so that petitioner may seek authorization from the Eighth Circuit Court of Appeals, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition; and
3. A certificate of appealability is denied pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts.

DATED this 31st day of March, 2014.


UNITED STATES DISTRICT JUDGE